

**RULES OF THE CHANCERY COURT  
OF SHELBY COUNTY, TENNESSEE  
THIRTIETH JUDICIAL DISTRICT**

**EFFECTIVE JULY 1, 2001**  
(Revised June 30, 2004)

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# **RULES OF THE CHANCERY COURT OF SHELBY COUNTY, TENNESSEE THIRTIETH JUDICIAL DISTRICT**

## **INTRODUCTORY STATEMENT**

By virtue of the authority vested in the Chancellors of the Chancery Court of Shelby County, for the Thirtieth Judicial District of Tennessee, and for the purpose of providing uniformity of procedure in the Court in conformity with the Tennessee Rules of Civil procedure, the following rules are hereby adopted and promulgated. The Chancellors may deviate from these rules to whatever extent they deem appropriate in order to meet the ends of justice.

## **RULE 1. SESSIONS AND COURTROOM PROCEDURE**

(a) Court sessions may be held Monday through Fridays inclusive. The Court may convene at such times as may be necessary for the hearing of causes specially set.

(b) The Chancellors shall wear judicial robes at all sessions of the Court, except the requirement may be waived by the Chancellor at any informal hearing.

(c) All persons in the Courtroom shall stand at the opening and closing of Court.

(d) All papers shall be handed to the Chancellor by the Sheriff, and no attorney or litigant shall approach the bench or witness stand from the bar except when directed by the Chancellor.

(e) There shall be no smoking in the Courtroom, nor shall food or drink be brought into the Courtroom.

(f) All attorneys and Court attendants shall be appropriately dressed during court sessions; male attorneys shall wear coats and ties.

(g) All litigants, witnesses, and jurors are expected to conduct themselves with reserve and courtesy, and when appearing in Court, to dress appropriately in a clean and neat appearance so as to preserve the dignity of the Court.

(h) Upon the Chancellor entering the Courtroom preparatory to the formal opening of Court, the Sheriff shall call the Courtroom to order, directing all in attendance in Court to stand, and upon being so instructed by the Court, shall open Court in substantially the following manner:

“Hear Ye! Hear Ye! This Honorable Chancery Court of Tennessee, is now open for the transaction of business pursuant to adjournment; all persons having business with

the Court draw near and you shall be heard. The Honorable \_\_\_\_\_, Chancellor presiding. God Preserve these United States and this Honorable Court. Be seated, please.”

Thereupon the Chancellor and those in the Courtroom shall be seated.

(i) Whenever anyone addresses the Court or is addressed by the Court, they shall rise and remain standing. Attorneys are not required to stand while interrogating witnesses.

(j) Whenever the Chancellor is ruling, all persons in the Courtroom shall remain seated and, if entering the Courtroom, shall be seated until the Chancellor has finished ruling.

(k) While Court is in session no one may photograph any of the proceedings without prior order of the Court.

(l) Upon the Chancellor instructing the Sheriff to adjourn Court for the day, the Sheriff shall direct all in attendance in Court to stand and shall adjourn Court in the following manner:

“This Court now stands adjourned.”

(m) In order to insure and maintain proper security for the protection of government property and the safety of the Courts, court personnel, attorneys and all persons in attendance thereof, whether as a plaintiff, defendant, witness, or spectator, the Sheriff of Shelby County is authorized and directed to employ all lawful and constitutional means necessary to insure the security of the courtrooms and all passages, corridors, rooms, and points of ingress and egress thereto. The Sheriff may, circumstances requiring in his discretion, establish and promulgate reasonable regulations not inconsistent with this rule for purposes of carrying out his directive including, but not limited to, the search of all persons seeking to enter the various courtrooms of the Shelby County Courthouse Civil Divisions. Anyone seeking to enter said courtrooms not consenting to a search of their person when requested by one lawfully authorized to conduct said search, shall not be admitted therein. Strip body searches are not authorized. Only authorized personnel serving the Court shall wear side-arms in the courtroom while Court is in session. In the discretion of the Chancellor of each part of this Court, all persons who are legally authorized to carry a firearm because of their status as law enforcement officials may wear said firearms or must check their firearms with the Court Bailiff while they are in the courtroom, or with the nearest office of the Sheriff.

## **RULE 2. ATTORNEYS**

(a) Attorneys desiring to be sworn in to practice in the Chancery Court shall be introduced in open Court by an attorney of this Bar who vouches for their character and qualifications as an attorney licensed to practice in Tennessee.

(b) Non-resident attorneys shall be entitled to practice in a particular case upon compliance with Tennessee Supreme Court Rules 19 and 20.

(c) No attorney shall be allowed to withdraw from a case except for good cause shown upon written motion after notice to all parties and attorneys and by order of the Court.

(d) All attorneys shall conduct themselves in accordance with the Memphis Bar Association Guidelines for Professional Courtesy and Conduct.

### **RULE 3. ORDER OF BUSINESS**

At the opening of Court, orders or decrees may be presented; then the Calendar for the day shall be called.

### **RULE 4. FORMS OF PLEADINGS**

(a) All pleadings shall contain a caption and designation as provided by Rule 10.01 TRCP and in addition all complaints, petitions and motions shall, in the designation thereof, contain a short statement of the relief sought, or the nature of the matter contained therein. The Chancellor or Clerk may refuse to accept a pleading not so styled.

(b) All pleadings, addressed to the Court, shall be in the following form to wit: "To the Chancellors of the Chancery Court for the Thirtieth Judicial District."

(c) All pleadings shall conform to the requirements of Rules 7, 8, 9, 10 and 11, TRCP, and any pleading not so conforming may, upon motion of attorney, or by the Court sua sponte, be stricken from the docket.

(d) The Clerk shall note the filing of all pleadings and documents as required by Rule 5.06 TRCP.

(e) All pleadings and documents bearing the name of a legal firm shall also be signed individually by the member of the firm to whom the case is assigned and shall contain the address, phone number and the Supreme Court Disciplinary Number of the attorney filing it.

### **RULE 5. PLEADING TO BE FILED**

(a) An original of every pleading, together with confirmed service copies, including copies of any exhibits attached to the complaint shall be filed in all causes. The originals of such pleadings shall be retained in

the Clerk's office, except when in use in the Courtroom or by one of the Chancellors.

(b) Pleadings filed by local attorneys shall be personally delivered to the office of the Clerk, and the Clerk may refuse to file such pleadings delivered by mail.

(c) Originals of pleadings and other Court documents may not be withdrawn except upon an Order of Court, which Order shall specify the time within which the same shall be returned.

(d) Only the Clerk can put files back in the filing cabinet.

### **RULE 6. THIRTY (30) DAY EXTENSION TO PLEAD**

Any party may by written stipulation signed by the opposing attorney extend the time for pleading not to exceed thirty (30) days in addition to the period provided by TRCP, and provided further, that only one such extension shall be granted. Any additional extension not agreed to by stipulation or an additional extension must be granted by the Chancellor.

### **RULE 7. ASSIGNMENT OF CAUSES**

(a) The Clerk shall assign each new case to a particular Part of the Court under a random selection procedure approved by the Chancellors of the Three Parts of the Court. The procedure shall provide for an equal random distribution of the cases filed between the Three Parts.

(b) The Chancellors may, however, by orders, transfer causes from one Part of the Court to another in order to equalize the work of the Parts of the Court, or for their mutual accommodation and convenience.

(c) The Chancellors may enter orders for each other by interchange, without formal transfer.

### **RULE 8. PROCESS**

The issuance, service and return of process shall be as required by Rules 4 and 5 TRCP.

### **RULE 9. APPOINTMENT OF GUARDIAN AD LITEM AND ATTORNEY AD LITEM**

Whenever it is made known to the Court, by a pleading or motion that justice requires the representation by a Guardian Ad Litem of a party, or an Attorney Ad Litem, the attorney shall submit an order of appointment leaving blank the name of the person or persons to be appointed.

### **RULE 10. MOTION DAYS AND MOTIONS**

(a) All motions, except those made in the course of a hearing or a trial, or for a Final Decree of Adoption, shall be in writing and conform to the

requirements of Rule 7.02 TRCP. Motions shall be heard on Friday of each week, unless otherwise noted by the Clerk on the Motion Docket.

(b) Attorneys desiring to dispose of their motion or adversary's motion shall note on the Motion Docket the style and rule docket number of the cause, the attorney for and against the motion, the date of entry in the motion docket and the nature of relief sought. Notice shall be given to the adversary's attorney as required by Rules 6.04 and 6.05 TRCP.

(c) Separate Motion Dockets shall be kept for each Part of the Court and entries shall be made in the motion docket of the Part of the Court to which the cause has been assigned.

(d) Notice of motions shall be in compliance with Rules 6.04 and 6.05, TRCP, and entered on the Motion Docket on or before Friday to be heard on the ensuing Friday unless objection is made for lack of notice required by Rules 6.04, 6.05, TRCP. If objection on such grounds is well taken, the motion shall be passed to second call on the next Motion Day or stricken.

(e) Motions may upon consent of attorneys and approval of the Court be passed from first call to second call.

(f) First call motions shall be disposed of before second call motions.

(g) Motions for allowance of temporary alimony or child support, or both, will be referred to the Divorce Referee as provided in Rule 12. Motions for modification of awards previously made may be referred to Divorce Referee or heard by the Court. If heard by the Court, they shall be accompanied by the sworn statement called for in Rule 14(b); such statements shall be filed not less than three (3) days before the hearing date, and by the adversary party not less than one (1) day before the hearing date.

(1) Motions will be heard eight (8) days after notice in accordance with T.R.C.P. Rules 6.01, 6.04, and 6.05 and will be heard each week as set forth in this rule. When a motion is stricken, it must be refiled; however, upon application, motions may be reset for a date not later than the Thursday of the succeeding week.

(2) According to Chapter 161, Public Acts of 1973 (and any acts amendatory and supplemental thereto), all matters, including but not limited to, proctoring complaints for divorce and orders of reference, properly brought before the Divorce Referee may be heard by the Divorce Referee Monday through Thursday at morning and afternoon sessions. The Divorce Referee shall have a publicly available calendar for attorneys and *pro se* litigants to schedule hearings in one-hour intervals from 9:00 a.m. to 12:00 p.m. and from 1:00 p.m. to 4:00 p.m. at the

discretion of the Divorce Referee. These hearings shall be held by the Divorce Referee except for a summer vacation period and State and Federal holidays. Fridays shall be reserved for administrative duties.

The Divorce Referee is primary Proctor and Referee and is assisted by those part-time Deputy Divorce Referees appointed and authorized by Chapter 161, Public Acts of 1973 (and any Acts amendatory and supplemental thereto). Two such Deputy Referees shall preside Tuesday, Wednesday, and Thursday of alternate weeks, convening at 1:00 p.m.

(Amendment adopted effective April 29, 2003.)

(h) At the discretion of the Court, all motions requiring the introduction of proof may be deferred until disposition of motions consisting only of argument of attorneys.

(i) All motions for summary judgment and to dismiss shall be filed at least thirty (30) days before hearing of same. Attorneys for the proponent of the motion shall deliver memorandum briefs to the Court (with a copy of affidavits and supporting documents), and shall file with the Clerk all original affidavits and supporting documents at least thirty (30) days prior to the hearing of the motion. Attorneys for the respondent shall deliver memorandum briefs to the Court (with a copy of affidavits and supporting documents), and shall file with the Clerk all original affidavits and supporting documents at least (10) days prior to the hearing of the motion. No motions shall be heard unless this rule is complied with.

(j) The Court may in its discretion, hear motions submitted on briefs and not grant oral argument.

(k) The Clerk of Court shall post a brief note of the Court's Ruling on the motion docket.

#### **RULE 11. TEMPORARY INJUNCTION HEARINGS AND MOTIONS TO MODIFY OR DISSOLVE INJUNCTIONS**

(a) Hearing for temporary injunctions shall be on sworn pleadings, affidavits, counter-affidavits, depositions and/or testimony, which shall be limited to the sole questions of whether or not the temporary injunction is justified, and to dispute material issues of fact.

(b) Motions to modify or dissolve injunctions may be heard upon one day's notice or less, if so ordered by the Chancellor.

#### **RULE 12. REFERENCE TO THE MASTER OR TO THE DIVORCE REFEREE**

(a) At the hearing of a cause, or upon motion, a matter may be referred to the Master in accordance with the provisions of Rule 53 TRCP,

or to a Divorce Referee in accordance with Section 9, Chapter 161, Private Acts, 1973.

(b) The Court may appoint a special master and refer specific issues of law or fact. A special master shall receive such compensation as may be fixed by the Court to be taxed as part of the Court costs.

(c) Reports of the Master, except Reports of Sale and Resale, shall be made in conformity with Rule 53.04 TRCP, which Rule shall also be applicable to reports of the Divorce Referee. All reports of the Master, other than Reports of Sale and Resale, not excepted to within ten(10) days as required by Rule 53.04(2) will be subject to confirmation by the Court. All exceptions or objections to the report of the Master will be heard pursuant to motion. Exceptions will be heard based upon the record of proceedings before the Master. There shall be no additional proof introduced unless directed by the Court.

(d) Appeals from a Divorce Referee's ruling shall be made by written motion within ten (10) days of the referee's oral or written ruling, and shall be placed on the Motion Docket of the Court to which the case is assigned or specially set by fiat. The motion shall specifically set forth what the movant seeks and where the divorce referee was in error. The referee's oral or written ruling on the pendent lite award shall be in effect and enforceable pending the appeal. Appeals shall be heard based on the record of the proceedings before the divorce referee. There will be no additional proof introduced unless directed by the Court.

(e) Report of Sale and Resale will be confirmed in accordance with Rule 53.04 TRCP subject to the right of an advance bid provided by T.C.A. 66-8-107.

#### **RULE 13. SETTING CASES BY WAY OF THE ATTORNEYS' TRIAL DOCKET (AKA THE "TEN DAY RULE" DOCKET)**

(a) When a case is ready for hearing, the Attorney for either party may set it for trial by putting the case on the Attorneys' Trial Docket (AKA the "Ten Day-Rule" Docket). After the case is placed on the Attorneys' Trial Docket, the attorney shall immediately notify the opposing attorney in writing.

(b) The procedure shall be as follows: The attorneys desiring to set the case for trial shall enter on the Attorneys' Trial Docket a note showing the style, docket number of the case, the estimated trial time, the nature of the case, the attorneys for the respective parties and the date of entering such note. Thereafter, the Clerk shall set the case for hearing except as provided herein.

The Clerk shall notify the attorneys for all parties, by postcard, of the date of the hearing; said postcard is to be mailed at least ten days before the date of hearing. The setting of hearings of uncontested adoptions is provided for in Rule 15 and no cards will be sent; also in setting uncontested divorces, the Clerk may orally notify the attorneys.

When a case is set for hearing, the Clerk shall post the trial date on the Rule Docket.

(c) The Clerk shall keep a separate Attorneys' Trial Docket (AKA "Ten-Day Rule" Docket) for each part of the Court.

(d) When a jury case is placed on the Attorneys' Trial Docket for hearing, the Attorney shall place a notation "Jury Trial" on the Attorneys' Trial Docket so that the Clerk and Court may be advised of the fact that a Jury has been demanded.

#### **RULE 14. DIVORCE OR SEPARATE MAINTENANCE TRIALS**

(a) In suits for divorce or separate maintenance where there is a property settlement or marital dissolution agreement, said agreement should be filed in the case at the time the case is entered on the Attorneys' Trial Docket or prior thereto.

(b) If there is no property settlement or marital dissolution agreement, any party seeking alimony or child support shall file a sworn statement, not less than thirty (30) days before the hearing date, setting forth the applicant's income, needs and expenses showing the purpose and amount and, if known, the income of the respondent. Not less than twenty (20) days before the hearing date, the Respondent shall file a like sworn statement showing income, needs and obligations.

(c) In contested divorces, at least fifteen (15) days prior to the hearing, attorneys shall exchange settlement offers or inform opposing attorney why they have not done so. A copy of such offers shall not be furnished to the Court.

(d) In contested divorces, where the division, description or value of marital assets is in dispute, at least fifteen (15) days before the hearing, the attorneys shall exchange their list of marital assets with a value placed on each asset; these lists of assets shall be filed with the Court at the time of exchange.

(e) In contested divorces where there is a custody dispute, the attorneys shall file notice of this fact and if either side thinks that a psychological or other evaluation or investigation is needed, the Court should be so informed at least thirty (30) days prior to the hearing.

(f) See Rule 12(d) regarding appeals from Divorce Referee's rulings.

## **RULE 15. HEARING ON PETITIONS FOR ADOPTION**

Where there is to be a hearing on a non-contested Petition for Final Decree of Adoption, the attorney shall place a notation to this effect on the Attorneys' Trial Docket (AKA the Ten Day Rule Docket). If the notation is entered on, or before Monday, it will automatically be set for hearing on the following Monday unless otherwise noted by the clerk on the Attorneys' Trial Docket.

## **RULE 16. ARGUMENTS AND BRIEFS**

(a) The Court may, in its discretion, limit or direct argument and, in non-jury cases, may choose not to hear closing argument.

(b) Briefs should be prepared in advance of the hearing and the Court encourages the submission of briefs of law in advance of the hearing of a case. In all matters or hearings of any type, if briefs are to be submitted, they must be delivered to the Court not less than three (3) working court days before the hearing. The Court may call for additional briefs.

(c) See Rule 10(i) regarding time requirements to submit briefs in motions for summary judgments and motions to dismiss.

## **RULE 17. ORDERS AND DECREES**

(a) Orders and decrees shall be headed by a title indicating the nature thereof. Unless otherwise permitted by the Court, Orders and Decrees shall be presented to the Court within seven (7) days after the decision is rendered.

(b) Orders and Decrees should be presented when called for immediately after the opening of the Court, or at such other times which do not interfere with the orderly transaction of business. Orders may be signed by Interchange as provided in Rule 7(d).

(c) Orders and Decrees shall be prepared by the attorney for the prevailing parties and submitted to attorneys for other parties for approval. All Orders and Decrees shall bear the signatures of all parties or their attorneys, or a certificate of the attorney or the Clerk that Copies have been served on all parties or attorneys of record as required by Rule 58.02 TRCP.

(d) In the event of a disagreement regarding the proper wording of an Order or Decree, the attorneys shall submit to the Court their version of what they think is the appropriate Order or Decree for the Court's determination. They shall also submit one extra copy with the disputed portions clearly marked.

(e) Orders or Decrees approved by all attorneys of record may be left with the Court Clerk of that Part of the Court for the obtaining the Chancellor's signature.

(f) If Orders or Decrees, as presented, are deemed to contain unnecessary or incorrect wording, the Chancellor may revise or have the attorney re-draft the Order or Decree.

(g) Orders or Decrees shall take effect and speak as of the date of entry on the minutes; provided, that the Court may, in its discretion, (nunc pro tunc) permit Orders or Decrees to become effective and speak as of the time of the decision of the case or as of any date between that time and the date of entry on the minutes.

(h) Whenever a report of the Master or of a receiver or Commissioner or other like document is to be recorded on the minutes, the same need not be copied into the body of the decree presented to the Court, but may be incorporated by reference.

(i) The Clerk's office must be assured that all costs have been or will be paid prior to an entry being made on the rule docket that a judgment has been satisfied.

(j) All final orders shall provide for taxing of Court costs and a cost bill information sheet shall be completed for the party against whom costs are assessed.

## **RULE 18. DELETED-NUMBER RESERVED** (06/30/04)

## **RULE 19. MOTIONS FOR NEW TRIAL**

(a) Motions for new trial shall be filed and disposed of as provided by Rule 59 TRCP

(b) Motions for new trial shall be in writing, shall be entered on the Motion Docket, and filed with the Clerk within thirty (30) days after rendition of a jury verdict or the entry of any decree or judgment to which exception is taken. Such motions shall be presented to the Court and disposed of on the first call of the next motion docket occurring but not less than five (5) days after the motion has been filed. Additional time may be granted by order of Court.

(c) All motions for new trial shall conform to the following requirements, viz:

1 - If a new trial is sought on the ground of error in the charge of the Court, the particular language of the charge of which complaint is made shall be quoted. No general reference to charge as erroneous as a whole shall be regarded as sufficient, but the particular part or parts of the charge complained of must be pointed out and quoted in the written motion for new trial, followed by a statement explaining why it is contended that the same is erroneous.

2 - It shall not be sufficient to state in general terms that the Court erred in the rejection or admission of evidence, but the party seeking a

new trial shall, in the motion for a new trial, point out the testimony which it is contended was erroneously admitted or excluded, either quoting same literally, giving substance of it, or otherwise referring to it in such a manner that the exact part of the evidence so admitted or excluded can be identified specifically at the hearing of the motion for new trial.

(d) This rule 19 shall be copied into every transcript of every case hereafter appealed from this Court in which a new trial is sought because of error claimed in the charge of the Court or in the admission or exclusion of evidence.

#### **RULE 20. JURY TRIALS**

(a) Whenever a complaint or other pleading in which a jury is demanded is presented for filing, the attorney shall endorse on the face thereof the words "Jury Demanded", and such fact shall be called to the attention of the Clerk who shall note the same on the Rule Docket.

(b) The party seeking a jury trial shall, not more than twenty (20) days after the case be at issue, file such issues of fact as deemed pertinent. Within fifteen (15) days thereafter the adversary party shall file such additional issues as deemed pertinent. A case is considered at issue when answers have been filed to the complaint and to any cross complaints, counter complaints or third-party complaints. Any party may object to any issues submitted by the opposing parties. These objections should be disposed of by motion at least three (3) days before the trial. The Court in its discretion may draft, re-draft, or re-cast any issues at any time before submitting them to a jury; and any party may, at the hearing, submit additional issues.

(c) When the Jury case is ready for trial, the case may be put on the Attorneys' Trial Docket (AKA Ten Day Rule Docket) as provided by Rule 13 with the notation "Jury Trial".

(d) The Court, in its discretion, may require the attorneys in jury cases to submit to the Court issues of law and disputed issues of fact three (3) days prior to the commencement of the trial.

The Court may require the attorneys to pre-mark the exhibits at least the day before the trial begins. The Court may allow jurors to have note pads and pencils during the trial and if 3-ring binders are needed to hold exhibits, the Court may direct that these items be supplied by the clerk's office. The attorneys are to have enough copies of the exhibits for the Court and each juror.

(e) If a party has special jury instructions which they wish the Court to

consider, these jury instructions shall be submitted to the Court at least fifteen (15) days before the trial.

#### **RULE 21. RECORD ON APPEAL**

Transcripts of evidence and all exhibits to be forwarded to the Appeal Court shall be submitted in accordance with the Tennessee Rules of Appellate Procedure.

#### **RULE 22. DISMISSAL FOR LACK OF PROSECUTION**

Whenever a cause has remained on the Rule Docket for twelve (12) months or more without steps being taken by the Plaintiff to dispose of the cause, the Clerk and Master or opposing parties shall be entitled, on motion, to request the Court for a dismissal of the cause without prejudice at Plaintiff's costs.

#### **RULE 23. INVESTING FUNDS PER COURT ORDER**

The Clerk and Master's Office shall invest litigant's funds paid into Court only if there is a Court Order directing them to do so. The order should state the name of the financial institution in which the funds are to be invested and the specific type of account to be utilized.

At the time of payment of the funds or when the Order is entered, if later, it shall be the DUTY OF THE ATTORNEY seeking investment of funds to specifically notify the Clerk receiving payment that the funds are to be invested and to provide an IRS form W-9 to the Clerk and Master's Bookkeeping Department for the Party responsible for the tax liability.

If no instructions are provided as to investment within 30 days of payment of funds, said funds shall be invested at the sole discretion of the Clerk and Master in conformity with statutory limitations.

#### **RULE 24. PROCEDURE USED WHEN CHANCELLOR SHOULD CONSIDER DISQUALIFYING HIMSELF**

Requests to the Court to consider disqualification may be by motion or in conference and shall be considered on a case by case basis.

#### **RULE 25. CONTINUANCES**

(a) Cases shall not be continued by agreement, but shall be continued only by leave of Court. Cases shall not be continued except for good cause which shall be brought to the attention

of the Court as soon as practicable before the date of the trial.

(b) Normally, the absence of a witness will be grounds for a continuance where the subpoena for a local witness was issued five (5) days or more before the date of trial, and seven (7) days where the witness is out of the county; however, each application for a continuance is subject to the discretion of the Court.

(c) Failure to have completed discovery, inability to take depositions, or failure to have completed any other trial preparations shall not be legal grounds for a continuance, but shall be subject to the discretion of the Court.

(d) If a case is continued, a new trial date may be assigned at the time of continuance, or the case may be placed on the Attorneys' Trial Docket (AKA Ten Day Rule Docket) for future setting.

Answers to interrogatories shall be numbered and shall set forth, immediately preceding the answer, the question made in the same numerical sequence.

No party shall serve on any other party more than thirty (30) interrogatories without leave of Court. For purposes of this Rule a sub-part of an interrogatory shall count as an additional interrogatory. Any motion seeking permission to serve more than thirty interrogatories shall set out the additional interrogatories the party wishes to serve, together with the reasons establishing good cause for the service of additional interrogatories. If a party is served with more than thirty interrogatories, without order of the Court, he shall respond only to the first thirty.

## **RULE 26. INTERROGATORIES**

These rules are effective as of July 1, 2001 and shall apply to all cases pending in Court on said date without reference to the date of institution of suit. All rules heretofore adopted are declared null and void and superseded by these Rules.